



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

OVERNIGHT MAIL

APR 11 1997

REPLY TO THE ATTENTION OF:

C-29A

Richard D. Burke
Eagle Marine Industries, Inc.
200 N. Broadway
Suite 1725
St. Louis, MO 63102-2716

Re: **Access to Property Known as Sauget Area II, Site Q, Sauget, Illinois**

Dear Mr. Burke:

Enclosed please find a Consent Agreement for Access to the property known as Sauget Area II, Site Q, in Sauget, Illinois. The U.S. Environmental Protection Agency ("U.S. EPA") plans to conduct investigatory activities to assess whether and to what extent contamination exists on your property. For this reason, U.S. EPA needs access to your property, as described herein.

Section 104 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. Section 9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499, 100 Stat. 1613 (1986) ("CERCLA", as amended), gives U.S. EPA and its representatives the authority to enter any property for the purpose of taking response actions to address the release or threatened release of hazardous substances, pollutants, or contaminants. Although U.S. EPA personnel or the personnel of its authorized representative may enter property without an owner's consent when entry is necessary to respond to a release or threatened release, it is U.S. EPA's practice to seek the owner's consent before entry onto the property. In this case, U.S. EPA and/or its authorized representative, will conduct investigatory activities as described in the attached "CONSENT FOR ACCESS TO PROPERTY" form. U.S. EPA anticipates that these activities can be completed in one day. However, if problems arise, particularly if flooding problems are encountered, our sampling activities may have to be delayed and conducted at a later date. Currently, U.S. EPA plans to conduct sampling in the area on April 17th or 18th, 1997.

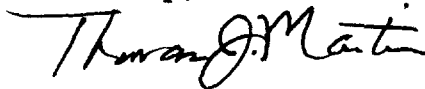
Therefore, I have enclosed a "CONSENT FOR ACCESS TO PROPERTY" form so that you may give U.S. EPA and its authorized representative your written consent for access to your property. Because we would like to complete removal activities as soon as possible, we request that you please sign and date the form and return it to me as soon as possible and no later than 5 calendar

days of the date of this letter. You may send the completed form to me at the following address:

Thomas J. Martin
Office of Regional Counsel
U.S. Environmental Protection Agency
77 W. Jackson Blvd. (C-29A)
Chicago, IL 60604

If you have any questions, please call me at (312) 886-4273. I appreciate your immediate attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas J. Martin". The signature is written in a cursive, flowing style with a large initial "T" and "M".

Thomas J. Martin
Associate Regional Counsel

Enclosure

LETTERS SENT TO THE FOLLOWING:

Vickie Kimbrough
Busch Properties, Inc.
Clayton Merchantile Center
8000 Maryland Ave., Suite 350
St. Louis, MO 63105

Richard D. Burke
Eagle Marine Industries, Inc.
200 N. Broadway
Suite 1725
St. Louis, MO 63102-2716

bcc: Sam Borries (w/o encl.)
Leah Evison (w/o encl.)

Consent For Access
Sauget Area II, Site Q
Sauget, Illinois

Name: Eagle Marine Industries, Inc.

Property Address: see highlighted area of attached map

I consent to officers, employees, contractors, and authorized representatives of the United States Environmental Protection Agency (U.S. EPA) entering and having continued access to this property for the following purposes:

- (1) Conducting sediment/soil, plant and water sampling and investigatory activities on the property to preliminarily determine the extent to which areas within this property might be contaminated; and
- (2) Performing other actions to investigate any contamination on the property that U.S. EPA may determine to be necessary.

I realize that these actions taken by the U.S. EPA are undertaken pursuant to its response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act. (Superfund), 42 U.S.C. § 9601 et seq.

This written permission is given by me voluntarily, on behalf of Eagle Marine Industries, Inc. and all other co-owners of this property, with knowledge of my right to refuse and without threats or promises of any kind.

Name
Title
Eagle Marine Industries, Inc.